

REMARKS

According to the present office action, claims 1-15, 19-24, 28-40 are pending in the application. Previously withdrawn claims 28-32 are hereby canceled.

Telephonic Interview

On January 11, 2008, examiners Tomasz Ponikiewski, Neveen Abel-Jalil, and the undersigned conducted a telephonic interview. The substance of said interview is incorporated into the remarks below.

Claim Rejections – 35 U.S.C. § 112

In order to address the present indefiniteness rejection (Office Action, pp. 2-3), the nature of the mechanism for inverse proportion of score assignment was discussed. Per said interview, the applicant has amended all the independent claims, of which claim 1 (in relevant part) is representative:

assigning said score to said document in inverse proportion to the number of documents located on said Web server resulting in said score being assigned to said document by being distributed among said number of documents, including said document, whereby when said number of documents increases said score assigned to said document decreases and when said number of documents decreases said score assigned to said document increases

(emphasis on newly added limitations). For direct support of this amendment, please see at least paragraph [0059] of the specification.

With the present amendments, applicant submits that claim 1 and the other independent claims, namely, claims 19 and 33, and their respective dependent claims are in condition for allowance.

Claim Rejections – 35 U.S.C. § 103

According to the present Office Action, p. 4, the assigning of a score in inverse proportion to the number of documents located on a server is allegedly rendered obvious in view of U.S. Patent Publication No. 2002/0078045 (Dutta).

Specifically, p. 8, paragraph 0047, ll. 20-21 is cited. This passage, in its entirety, discloses:

[M]ethods in which the rank of the file is in [1] *inverse order* to the [2] *weighting value*....

(emphasis and brackets added). In contrast, claim 1 recites, in relevant part:

assigning said score to said document in [1] *inverse proportion* to [2] *the number of documents* located on said Web server

(emphasis and brackets added). As was explained during the telephonic interview, [1] “inverse order” is something wholly different from “inverse proportion” and [2] a “weighting value” is something wholly different from a “number of documents.”

Applicants hereby respectfully submit that at least these two differences between claim 1 and Dutta, along with the newly added limitations, render claim 1 patentable in view of the cited art. As was stated above, the other independent claims, namely, claims 19 and 33, recite similar subject matter to that of claim 1. Hence, insofar as any dependent claims incorporate limitations from these independent claims, they also patentably define over the cited art.

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CONCLUSION

Applicant believes that the present remarks are responsive to each of the points raised by the examiner in the office action, and submits that claims 1-15, 19-24, and 33-40 of the application are in condition for allowance. Favorable consideration and passage to issue of the application at the examiner's earliest convenience is earnestly solicited.

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/ Grzegorz S. Plichta /
Grzegorz S. Plichta
Registration No. 55,541

Woodcock Washburn LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439